U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans **FILE NUMBER:** MVN-2007-1275 CQ

		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	11111 2007 1273 00					
RO	State Paris Cent App Nam	e: sh: ter coordii roximate :	Louisiana Terrebonne nates of site (latitude/longitusize of area (parcel) reviewest waterway: Timbalier Barshed: Terrebonne Basi	ed, including y	29 04 28.8/-90 24 40.4 guplands: 1.9 acres.			
			AL DETERMINATION Desktop determination Site visit(s)		Date: 4/13/2007 Date(s):			
	Juri	sdictiona	l Determination (JD):					
		Prelimina United St	ary JD - Based on available		there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable			
	\boxtimes		d JD – An approved JD is a l that apply:	n appealable	action (Reference 33 CFR part 331).			
			e are "navigable waters of the wed area. Approximate size		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:			
				re "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the rea. Approximate size of jurisdictional area:				
		■ There			te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No			
LAS	SIS O	F.HIRIS	DICTIONAL DETERMI	NATION:				
· A	A.	Waters of The prese	defined under 33 CFR parence of waters that are subje	t 329 as "na ct to the ebb	vigable waters of the United States": and flow of the tide and/or are presently used, or have been used in t interstate or foreign commerce.			
B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), m sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradadestruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) − (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other waters are to be used for the Basis of Jurisdictional Determination (applies to any boxes checked above). The project is located in Timbalier Bay which is a navigable water of the United States.								

10&404.jd.basis 2

	ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: limits of OHWM undetermined
	Mean High Water Mark indicated by: ateral limit extend beyond project site.
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Other (explain):
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Datural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law: Other information (please specify):

^TWetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans

FILE NUMBER: MVN-2007-1418-CS	
PROJECT LOCATION INFORMATION: State: Louisiana Parish: Lafourche Center coordinates of site (latitude/longitude): LAT: 29-32-37/LONG: 90-23-43 Approximate size of area (parcel) reviewed, including uplands: 1.6 acres. Name of nearest waterway: Name of watershed: 08090301	
TURISDICTIONAL DETERMINATION Completed: Desktop determination	
Jurisdictional Determination (JD):	
Preliminary JD - Based on available information, \(\subseteq \text{there appear to be (or) } \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).	
Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:	
☐ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:	CRANCE OF A
☑ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:	
☐ There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. ☐ Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.)
A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.	
 B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) − (4) above. (6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands. 	
Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).	
Wetlands are tidal.	CONTRACTOR OF VENERAL STRACTOR OF THE STREET

Discovery #007	Wetl 2 - (니앙- C S
	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: lateral limits extend beyond project site. ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
\boxtimes	EVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify)

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans **FILE NUMBER:** MVN-2007-1471-CS

ite:	Louisiana	RMATION:				
nter coording proximate me of near	nates of site (la size of area (po est waterway:	parcel) reviewed	de): d, including	LAT: 29-09-22/LONG: 90-38-06 g uplands: acres.		
DICTION	AL DETERM	IINATION				
				Date: 04/12/2007 Date(s):		
risdictiona	l Determinat	ion (JD):				
Prelimina United S	ary JD - Based states" and/or "	d on available i "navigable wate		there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable		
		proved JD is an	appealable	action (Reference 33 CFR part 331).		
				rates" (as defined by 33 CFR part 329 and associated guidance) within tional area:		
				defined by 33 CFR part 328 and associated guidance) within the al area:		
☐ There	☐ De	ecision supporte		nte waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No		
 Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. 						
(1) The printerstate (2) The printerstate (3) The printerstate (3) The printerstate (3) The printerstate (4) Impo (5) The printerstate (6) The printerstate (1) The printerstate (2) The printerstate (3) The printerstate (4) The printerstate (3) The printerstate (4) The printerstate	presence of wa e or foreign con presence of interpresence of oth s, wetlands, slo on of which con which are or con from which fis which are or con pundments of we presence of a tropresence of terror	aters, which are ammerce, include terstate waters in the waters such bughs, prairie pould affect interested by the used by shor shellfish a could be used fowaters otherwisk ributary to a wartitorial seas.	e currently u ding all wate including in a as intrastat potholes, we erstate common interstate of are or could for industrial se defined as ater identifie	used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide. Interstate wetlands I. It lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): For foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce. If purposes by industries in interstate commerce. Is waters of the US.		
Project area	is subject to t	the ebb and flow	w of the tid	е.		
	tte: rish: Inter coording proximate are of neare me of neare me of water of	te: Louisiana rish: Terrebonne nter coordinates of site (I proximate size of area (p me of nearest waterway: me of watershed: DICTIONAL DETERM Impleted: Desktop determinate Site visit(s) risdictional Determinate Preliminary JD - Based United States" and/or " (Reference 33 CFR pan Approved JD - An app Check all that apply: There are "navigab the reviewed area. Approved There are "waters of reviewed area. Approved There are "isolated De Jun OF JURISDICTIONAL Waters defined under The presence of waters the past, or may be sus Waters defined under (1) The presence of oth sandflats, wetlands, slo destruction of which co (2) The presence of oth sandflats, wetlands, slo destruction of which co (ii) which are or co (iii) from which fis (iii) which are or co (iii) from which fis (iii) which are or co (5) The presence of at (6) The presence of ter (7) The presence of wettonale for the Basis of attonale for the Basis of	rish: Terrebonne Inter coordinates of site (latitude/longitus proximate size of area (parcel) reviewed me of nearest waterway: me of watershed: DICTIONAL DETERMINATION Impleted: Desktop determination Site visit(s) risdictional Determination (JD): Preliminary JD - Based on available i United States" and/or "navigable water (Reference 33 CFR part 331). Approved JD - An approved JD is an Check all that apply: There are "navigable waters of the the reviewed area. Approximate size There are "waters of the United S reviewed area. Approximate size of j There are "isolated, non-navigable Decision supporte Jurisdiction. OF JURISDICTIONAL DETERMIN Waters defined under 33 CFR part The presence of waters that are subject the past, or may be susceptible for use Waters defined under 33 CFR part (1) The presence of interstate waters i (2) The presence of interstate waters i (3) The presence of other waters such sandflats, wetlands, sloughs, prairie p destruction of which could affect inter interstate or foreign commerce, include (2) The presence of other waters such sandflats, wetlands, sloughs, prairie p destruction of which could affect inter interstate or could be used by it in from which fish or shellfish a it in the presence of a tributary to a water interstate or could be used for the presence of territorial seas. (7) The presence of wetlands adjacent internal for the Basis of Jurisdictional	te: Louisiana rish: Terrebonne nter coordinates of site (latitude/longitude): proximate size of area (parcel) reviewed, including me of nearest waterway: me of watershed: DICTIONAL DETERMINATION Impleted: Desktop determination Site visit(s)		

BurlingtonR	2007-	140	7	1-0	5
-------------	-------	-----	---	-----	---

	ateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 a Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:	and 329) High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
\boxtimes	Mean High Water Mark indicated by: lateral limits extend by survey to available datum; ☐ physical markings; ☐ volume of the physical markings.	
	Wetland boundaries, as shown on the attached wetland deli	neation map and/or in a delineation report prepared by:
Ba	rice growing. Artificial reflecting or swimming pools or other smale by excavating and/or diking dry land to retain water Water-filled depressions created in dry land inciden the purpose of obtaining fill, sand, or gravel unless abandoned and the resulting body of water meets the 328.3(a). Isolated, intrastate wetland with no nexus to interstate	of 33 CFR part 328.3(a)(3). Following waters present on the site are not Waters of the sor lagoons, pursuant to 33 CFR part 328.3. Following dry land to collect and in purposes as stock watering, irrigation, settling basins, or all ornamental bodies of water created for primarily aesthetic reasons. It tall to construction activity and pits excavated in dry land for and until the construction or excavation operation is a definition of waters of the United States found at 33 CFR atte commerce.
	U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD)	pplicant. cant. , prepared by (company): dated , prepared by (company):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN-2007-1493-CS PROJECT LOCATION INFORMATION: Louisiana State: Parish: Lafourche LAT: 29-22-39/LONG: 90-16-32 Center coordinates of site (latitude/longitude): Approximate size of area (parcel) reviewed, including uplands: 0.03 acres. Name of nearest waterway: Name of watershed: 8090302 JURISDICTIONAL DETERMINATION Completed: Desktop determination M Date: 04/12/2007 Site visit(s) Date(s): Jurisdictional Determination (JD): Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: ☑ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: M There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply); (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. \Box (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands. Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). Project area is subject to the ebb and flow of the tide.

Apache	200	7-14	93	-CS
--------	-----	------	----	-----

Late	Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)							
	Ordinary High Water Mark indicated by: High Tide Line indicated by	:						
	☐ clear, natural line impressed on the bank ☐ oil or scum line along							
	the presence of litter and debris fine shell or debris dep							
	changes in the character of soil physical markings/char							
	destruction of terrestrial vegetation fidal gages	uctoristics						
	shelving other:							
	other:							
	ouler.							
	No. of Tich Water Mark indicated by lateral limits system beyond musicat site							
\bowtie		. ,						
	☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetat	ion types.						
_								
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation	on report prepared by:						
<u>Bas</u>	Basis For Not Asserting Jurisdiction:							
	The reviewed area consists entirely of uplands.							
	Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).							
	Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).							
	The Corps has made a case-specific determination that the following waters present on the si	te are not Waters of the						
	United States:							
	Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR	part 328.3.						
	Artificially irrigated areas, which would revert to upland if the irrigation ceased.							
	Artificial lakes and ponds created by excavating and/or diking dry land to collect and							
	retain water and which are used exclusively for such purposes as stock watering, irrig	gation, settling basins, or						
	rice growing.	-						
	Artificial reflecting or swimming pools or other small ornamental bodies of water cre	ated						
	by excavating and/or diking dry land to retain water for primarily aesthetic reasons.							
	Water-filled depressions created in dry land incidental to construction activity and pit	s excavated in dry land for						
		the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is						
	abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR							
	328.3(a).							
		Isolated, intrastate wetland with no nexus to interstate commerce.						
	Prior converted cropland, as determined by the Natural Resources Conservation Serv	ice Explain rationale:						
	The converted erophand, as determined by the Natural Resources Conservation Serv	ice. Explain fationale.						
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:							
	Other (explain):							
	Unici (explain).							
	TA DEVIEWED FOR HIDIODICTIONAL DETERMINATION (month off that are by).							
	TA REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):							
×								
Ш	Data sheets prepared/submitted by or on behalf of the applicant.							
	This office concurs with the delineation report, dated , prepared by (company):							
_	This office does not concur with the delineation report, dated , prepared by (compa	iny):						
닏	Data sheets prepared by the Corps.							
	Corps' navigable waters' studies:							
닏	U.S. Geological Survey Hydrologic Atlas:							
<u>⊔</u>	U.S. Geological Survey 7.5 Minute Topographic maps:							
\bowtie								
Ш	U.S. Geological Survey 15 Minute Historic quadrangles:							
	USDA Natural Resources Conservation Service Soil Survey:							
	National wetlands inventory maps:							
	State/Local wetland inventory maps:							
	FEMA/FIRM maps (Map Name & Date):							
	100-year Floodplain Elevation is: (NGVD)							
\boxtimes								
	Other photographs (Date):							
	Advanced Identification Wetland maps:							
	Site visit/determination conducted on:							
□	Applicable/supporting case law:							
Ħ	Other information (please specify):							

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN-2007-1518 CQ

ROJE	CT LOCA	TION INFORMATION:					
Stat		Louisiana					
Par Cen		Lafourche nates of site (latitude/longitude)	le)·	29 04 37.7/-90 18 18.5			
		size of area (parcel) reviewed					
		est waterway: Timbalier Bay					
Nar	ne of wate	rshed: Terrebonne Basin					
URISD	ICTION	AL DETERMINATION					
Cor	mpleted:	Desktop determination	\boxtimes	Date: 4/16/2007			
		Site visit(s)		Date(s):			
Jur	isdictiona	l Determination (JD):					
П	Prelimina	arv JD - Based on available in	nformation	. \Box there appear to be (or) \Box there appear to be no "waters of the			
J	Preliminary JD - Based on available information, \(\subseteq \text{ there appear to be (or) } \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).						
		d JD - An approved JD is an l that apply:	appealable	e action (Reference 33 CFR part 331).			
		e are "navigable waters of the wed area. Approximate size		ates" (as defined by 33 CFR part 329 and associated guidance) within cional area:			
	There	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.					
				NCC/Migratory Bird Rule Information Sheet for Determination of No			
		Jurisdiction.					
BASIS (OF JURIS	DICTIONAL DETERMIN	ATION:				
	Waters	defined under 33 CFR part	329 as "na	avigable waters of the United States":			
\boxtimes				o and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.			
	me pasi,	of may be susceptible for use	to transpo	interstate of foreign commerce.			
				s "waters of the United States":			
M				used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide.			
		presence of interstate waters i					
	(3) The p	presence of other waters such	as intrasta	te lakes, rivers, streams (including intermittent streams), mudflats,			
		sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):					
				or foreign travelers for recreational or other purposes.			
	☐ (ii) t	from which fish or shellfish a	re or could	be taken and sold in interstate or foreign commerce.			
100				al purposes by industries in interstate commerce.			
) Impoundments of waters otherwise defined as waters of the US.) The presence of a tributary to a water identified in (1) – (4) above.					
	(6) The p	presence of territorial seas.					
	(7) The p	presence of wetlands adjacent	to other v	waters of the US, except for those wetlands adjacent to other wetlands.			
Rat	ionale for	the Basis of Jurisdictional	Determina	ation (applies to any boxes checked above).			
		is subject to the ebb and flow					

	□ clear, natural line impressed on the bank □ oil or scum line along shore objects □ the presence of litter and debris □ fine shell or debris deposits (foreshore) □ changes in the character of soil □ physical markings/characteristics □ destruction of terrestrial vegetation □ tidal gages □ shelving □ other: □ other: limits of OHWM undetermined	
	Mean High Water Mark indicated by: a +e	ite.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.	
	 Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: 	
	 Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): 	
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas:	
	U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles:	
	USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD)	
	Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law: Other information (please specify):	

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN 2007-1525 CT

Stat Par Cer App Nar	te: Louisiana ish: Terrebonne iter coordinates of site (latitude/longitud proximate size of area (parcel) reviewed, me of nearest waterway: Bay Champagn me of watershed: 08090301	including uplan	45.64 / 91 05 05.11 ds: ~4.8 acres.				
	DICTIONAL DETERMINATION mpleted: Desktop determination Site visit(s)	Date:	4/16/07 s):				
Jur	isdictional Determination (JD):						
	Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).						
☒	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:						
	☐ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:						
	☐ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:						
	☐ There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. ☐ Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.						
BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.							
	 B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, 						
sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above.							
		to other waters	of the US, except for those wetlands adjacent to other wetlands.				

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). Bayou Piquant is a navigable water of the United States.

jd basis.doc 2

DA

	Ordina t	atent of Jurisdiction: (Reference: 33 CFR parts ary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: undetermined		gh Tide Line indicated by joil or scum line along fine shell or debris dep physical markings/cha tidal gages other:	shore objects oosits (foreshore)			
\boxtimes		High Water Mark indicated by: rvey to available datum; ☐ physical markings;	vegetation	n lines/changes in vegeta	tion types.			
	Wetla	and boundaries, as shown on the attached wetland	delineation n	map and/or in a delineati	on report prepared by:			
Bas	The re Unable Headq The C	Not Asserting Jurisdiction: eviewed area consists entirely of uplands, e to confirm the presence of waters in 33 CFR pa quarters declined to approve jurisdiction on the ba corps has made a case-specific determination that d States: Waste treatment systems, including treatment p Artificially irrigated areas, which would revert Artificial lakes and ponds created by excavating	asis of 33 CFF the following onds or lagoo to upland if the g and/or diking	R part 328.3(a)(3). g waters present on the s ons, pursuant to 33 CFR the irrigation ceased. ng dry land to collect and	part 328.3.			
	retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).							
		Isolated, intrastate wetland with no nexus to int Prior converted cropland, as determined by the Non-tidal drainage or irrigation ditches excavat	Natural Reso	ources Conservation Serv	ice. Explain rationale:			
TA R		Other (explain): WED FOR JURISDICTIONAL DETERMINAL plans, plots or plat submitted by or on behalf of						
	Data s The Tributa s Corps' U.S. C U.S. C U.S. C U.S. C USDA Nation State/I FEMA 100-ye Aerial Other Advan Site vi Applic	sheets prepared/submitted by or on behalf of the a his office concurs with the delineation report, dat his office does not concur with the delineation re sheets prepared by the Corps. 'navigable waters' studies: Geological Survey Hydrologic Atlas: Geological Survey 7.5 Minute Topographic maps: Geological Survey 15 Minute Historic quadrangle and the studies of the	applicant. ed pre port, dated es: s: urvey:	epared by (company): , prepared by (comp				

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.